

Pamela Halse  
Association Management Services, LLC  
P.O. Box 5298  
Bozeman, MT 59717-5298



**2285351**

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Charlotte Mills-Gallatin Co MTMISC 21.00

**DELINQUENCY POLICY & VIOLATION POLICY OF  
THE 1<sup>st</sup> RESTATEMENT AND AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS, LAS CAMPANAS SUBDIVISION  
(CITY OF BELGRADE, MONTANA)**

**This Delinquency Policy is an addendum** to File No. 2208725 filed with the Gallatin County Clerk & Recorder on November 8, 2005. This policy is pursuant to the 1<sup>st</sup> Restatement and amendment to Declaration of Covenants, Conditions and Restrictions for Las Campanas Homeowners' Association ("Covenants"), recorded in the real property records of the County Clerk of Gallatin County, Montana on November 8, 2005, Document No. 2208725.

The following policy is in place to set forth the late fees and appropriate actions for late and nonpayment of Las Campanas Homeowners' Association dues.

1. **Assessments.** The Las Campanas Homeowners' Association assessments are billed quarterly. Payments are due on the first of the next month and delinquent after the 30<sup>th</sup>.
2. **Delinquent Interest.** If the assessment amount is not paid by the 1<sup>st</sup> of the following month, interest will accrue at the rate of 15% per annum on the unpaid balance.
3. **Unpaid Assessments.** When a homeowner is five months delinquent in assessments a Demand Letter will be sent, the cost of which will be a charge of \$80.00 applied to the delinquent homeowner's account. If assessments are not paid in full within 30 days of the date of the Demand Letter, the association will file a Notice of Lien in Gallatin County records and will send a copy of the Notice to the delinquent owner, the cost of which will be a charge of \$150 applied to the delinquent homeowner's account. If applicable, the Association will also provide a notice of delinquency to the owner's first mortgagee.
4. **Further Action.** If the assessment remains unpaid and delinquent, the Association will decide, on a case-by-case basis which of the following remedies to pursue:
  - Bring an action at law against the owner personally obligated to pay
  - Foreclose the association lien against the Lot

In the event any of the foregoing actions are taken by the Association, the owner shall be obligated to pay the Association, in addition to the assessment due, late fees and any interest thereon, all collection fees, attorney's fees and necessary costs incurred by the Association in enforcing its rights and taking such action. No owner may waive or otherwise escape liability for the assessments by abandonment of his Lot.

ADOPTED: June 19, 2006

**This Violation Policy is an addendum** to File No. 2208725 filed with the Gallatin County Clerk & Recorder on November 8, 2005. This policy is pursuant to the 1<sup>st</sup> Restatement and amendment to Declaration of Covenants, Conditions and Restrictions for Las Campanas Homeowners' Association ("Covenants"), recorded in the real property records of the County Clerk of Gallatin County, Montana on November 8, 2005, Document No. 2208725.

The following policy is in place to determine whether a violation exists and if a violation is determined to exist, to cause remedy of the violation.

1. **Determination of Violation.** Association Management Services, LLC, and/or any member of the Las Campanas Board of Directors or Design Review Board will make the final determination of whether a violation of the Protective Covenants (CC&Rs) exists.
2. **Curing the Violation.** If it is determined that a violation does exist the Homeowner will be sent a **First Violation Notice** describing the violation, the applicable CC&Rs regulation that is being violated, and a requirement that the violation be cured within a reasonable time period.
3. **Uncured Violations.** If the violation has not been cured within the time period specified in the **First Violation Notice** a **Second Violation Notice** will be issued. If the violation remains uncured the homeowner will receive a **Third Violation Notice** instructing the homeowner of their right to a hearing. Such **Notice** shall be served personally, if possible or mailed certified mail, return receipt requested to the last known address of the party or entity and a copy posted at a conspicuous place on the property. A written request for the hearing, which is properly signed by the homeowner and dated must be postmarked within fourteen (14) days after the **Third Violation Notice** is mailed. Failure of the homeowner to request a hearing in writing within the required time period shall constitute a waiver of the right to a hearing. Such notice shall be deemed delivered if postmarked and mailed to:  
  
Las Campanas Homeowners' Association  
c/o Association Management Services, LLC  
P.O. Box 5298  
Bozeman, MT 59717-5298
4. **Hearing.** The Board of Directors will conduct the hearing at which, any or all of the following sanctions may be imposed:
  - a. Fine not to exceed \$500.
  - b. Cure of the violation, all costs of which will be charged back to the owner. If not paid the owner's property will be liened for the amount owed.
  - c. Injunctive relief against the continuance of such violation through the court system; all costs will be charged to the owner.

A decision regarding the violation may be made upon conclusion of the hearing or it may be postponed no later than ten (10) days from the date of the hearing. A summary of the decision shall be included in the records of the Association and mailed to all parties involved.

If the homeowner does not cure the violation after the **Third Violation Notice** and does not request a hearing, the Board has the authority and discretion to impose any or all of the sanctions above.

ADOPTED: June 19, 2006

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Las Campanas Homeowners' Association, Inc.  
BOARD OF TRUSTEES  
By: ASSOCIATION MANAGEMENT SERVICES,  
LLC, a Montana limited  
liability company

By: Pamela Halse  
Its: Community Manager

**ACKNOWLEDGEMENT**

STATE OF MONTANA        )  
  ss.  
COUNTY OF GALLATIN    )

This instrument was acknowledged before me on Nov. 26, 2007, by Pamela Halse, the Manager of Association Management Services, LLC, a Montana limited liability corporation, as Community Manager of Las Campanas Homeowners' Association, Inc.

Notary Public Dana L. Aughney  
My Commission Expires on: July 13, 2010

Residing Bozeman, MT.

